REMARKS

Claims 1-26 are currently pending in the instant application. None of the claims have been allowed or objected to, instead all have been rejected. Claims 1, 8, 12, 24 and 25 have been amended. No new matter has been added by any amendment to the claims. Additionally, new Claims 27 and 28 have been added to further clarify the claimed invention.

Specification

In the paragraph, which begins on page 13, at line 28, delete the phrase "a server" to correct a grammatical informality. In the same paragraph, which continues onto page 14, at line 4, replace the period immediately following "cgi" with a comma and insert a period immediately preceding "jsp" to correct a punctuation informality.

Rejection Under § 102

The Final Office Action rejected Claims 8-10, 12, 14-17, 21, and 25 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,370,620 to Wu et al. Applicants respectfully traverse these rejections.

Currently amended independent Claim 8 includes the limitation of "determining a frequency of requests for static content, wherein a determination of the request determines a static type of the requested content." (See Figure 8). Nowhere in the Wu reference is there a teaching or suggestion of determining the type of requested content based on a determination of the request.

Currently amended independent Claim 12 includes the limitation of " a forwarder that receives each request for content and forwards each request to at least one of a content server and a cache based on a determination of each request for a type of the requested content sends content to the client in response to each request that is forwarded to the content server." (See Figure 8, Page 13, line 28 through page 14, line 6). The Wu reference does not anticipate or make obvious this novel aspect of the claimed invention. Additionally, the elements recited in amended Claim 25 are similar to, albeit different from, the elements of amended Claim 12.

Because Wu fails to disclose each element of the invention as claimed in amended Claims 8, 12, and 25, these claims are not anticipated by Wu and therefore are now in condition for allowance. Furthermore, since Claims 9-10 depend from Claim 8, and since Claims 14-17 and 21 depend from Claim 12, these dependent claims are allowable for at least substantially the same reasons set forth above with respect to amended Claims 8 and 12.

Rejections Under 35 U.S.C. § 103 of Claims 1-7, 11, 13, 18-20, and 22-24

The Office Action rejected Claims 1 and 24 as being unpatentable over U.S. Patent No. 5,566,349 to Trout in view of U.S. Patent No. 6,374,241 to Lamburt et al. Claim 24 recites elements that are similar to, albeit different from, the elements recited in Claim 1. Applicants respectfully traverse these rejections.

Although the Trout reference can determine the type of content provided in response to a request, this determination is not based on the request. Rather, Trout teaches performing a determination on the content itself which is generally employed to determine if the requested content is to be stored in a cache or not. (See Column 11, lines 38-42). Clearly, Trout does not teach examining a request to determine a type of the requested content and basing the forwarding of the request to a content server or a cache based on a "content type" determination performed on the request. Also, the suggested combination of Lamburt with Trout does not cure this defect. Therefore, since Trout and Lamburt, either alone or in combination, fail to teach or suggest the invention as claimed in currently amended Claims 1 and 24, these claims are now in condition for allowance.

The Office Action rejected Claims 2-7 as being unpatentable over Trout and Lamburt in view of particular references (Claim 2: U.S. Patent No. 6,094,706 to Factor et al.; Claim 3: U.S. Patent No. 5,590,301 to Guenthner et al.; Claim 4: U.S. Patent No. 6,785,704 to McCanne; Claim 5: U.S. Patent No. 6,415,359 to Kimura et al.; Claims 6-7: U.S. Patent No. to 6,233,606 to Dujari). Applicants respectfully traverse the rejections of Claims 2-7 for at least substantially the same reasons as presented above with respect to amended Claim 1, from which they depend. Applicants

submit that these claims are not rendered obvious by the suggested combinations of references and are therefore allowable.

The Office Action rejected Claim 11 as being unpatentable over Wu in view of U.S. Patent No. 6,330,561 to Cohen et al. Applicants respectfully traverse this rejection for at least substantially the same reasons as presented above with respect to Claim 8, from which Claim 11 depends. Applicants submit that Claim 11 is not rendered obvious by the suggested combination of references and is therefore allowable.

The Office Action rejected Claims 13, 18-20, and 22-23 as being unpatentable over Wu in view of particular references (Claim 13: Lamburt, Cohen, and U.S. Patent No. 6,591,341 to Sharma; Claim 18: Lamburt and Factor; Claim 19: Lamburt; Claim 20: Lamburt and Sharma; Claims 22-23: Dujari). Applicants respectfully traverse the rejections of these claims for at least substantially the same reasons as presented above with respect to amended Claim 12, from which they depend. Applicants submit that these claims are not rendered obvious by the suggested combinations of references and are therefore allowable.

CONCLUSION

By the foregoing explanations, Applicants believe that this response has responded fully to all of the concerns expressed in the Final Office Action, and believes that it has placed each of the pending claims in condition for immediate allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue. Should any further aspects of the application remain unresolved, the Examiner is invited to telephone applicant's attorney at the number listed below.

Dated: October 18, 2005

Respectfully submitted,

By _____

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